



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
St. Clair County Board of
Education
Attention: Mr. Justin Burns

Published: May 1, 2025
Expires: June 2, 2025

**Mobile District
Permit Application No. SAM-2023-00675-JDC**

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS

**ALABAMA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: St. Clair County Board of Education
Attention: Mr. Justin Burns
410 Roy Drive
Ashville, Alabama 35953

AGENT: Schoel Engineering Company, Inc.
Attention: Mr. Bradley McWilliams
1001 22nd Street South
Birmingham, Alabama 35205

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Kelly Creek. The project area is located south of Moody Parkway and east of High School Drive in 29 and 30 Section, 16 South Township, 2 East Range; at Latitude 33.611203 and Longitude -86.464776; in Moody, St. Clair County, Alabama.

EXISTING CONDITIONS: The 4.78-acre project area is predominantly forested, though a small section of uplands in the southeast corner of the project area has been cleared and graded. The project area is bordered by single-family homes to the north and west and bordered by the remainder of the Moody High School campus to the east and south. The applicant previously received permit verification from the Corps to discharge fill material into waters of the United States associated with Kelly Creek for the construction of the new Moody High School and attendant features.

PROJECT PURPOSE:

Basic: The basic project purpose is institutional development.

Overall: The overall project purpose is to improve safety at Moody High School by providing additional parking.

PROPOSED WORK: The applicant requests authorization to discharge fill material into 0.67 acre of "Wetland 1" and 0.49 acre of "Wetland 5" for grading to construct a parking lot for the new Moody High School.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The proposed project would avoid impacting the on-site stream. Additionally, the proposed impacts to Wetland 1 and Wetland 5 are being minimized by placing the parking lot as close to High School Drive as possible.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to purchase wetland credits from an approved mitigation bank. historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes, and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application and the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website to determine if any threatened, endangered, proposed, or candidate species, as well as proposed and final designated critical habitat may occur in the vicinity of the proposed project. Preliminary review of the USFWS IPaC indicates the following species have the potential to occur in the vicinity of the proposed project: Gray Bat, Indiana Bat, Northern Long-eared Bat, Tricolored Bat, Whooping Crane, Alligator Snapping Turtle, Coal Darter, Alabama Moccasinshell, Coosa Moccasinshell, Finelined Pocketbook, Orangenacre Mucket, Ovate Clubshell, Southern Clubshell, Southern Pigtoe, Triangular Kidneyshell, Monarch Butterfly, Georgia Rockcress, and Tennessee Yellow-eyed Grass.

Pursuant to Section 7 of the ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened

species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Alabama Department of Environmental Management (ADEM). The applicant will apply for certification from the State of Alabama in accordance with Section 401(a) (1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by the ADEM.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated, at this time, to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

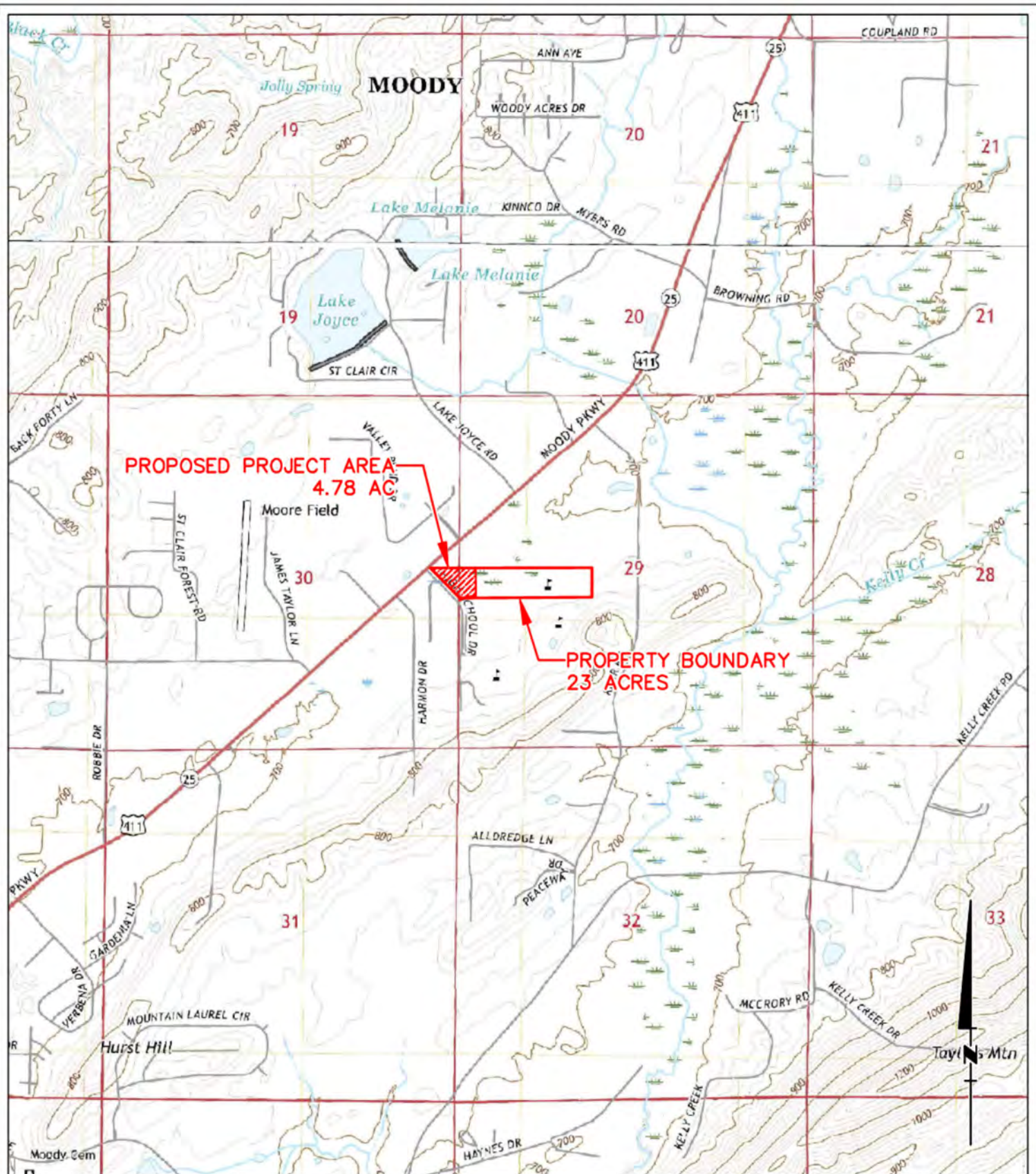
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are

used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until May 30, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jevon Coleman at jevon.d.coleman@usace.army.mil with a copy to ADEM at fieldmail@adem.alabama.gov. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Mr. Jevon Coleman, 600 Vestavia Parkway, Suite 203, Vestavia Hills, Alabama 35216, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Ryan Cooper, Post Office Box 301463, Montgomery, Alabama 36130. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



MOODY HIGH SCHOOL PARKING LOT
MOODY, ALABAMA
EXHIBIT 1 - VICINITY MAP

DATE: 1/30/2025
SCALE: 1" = 2000'

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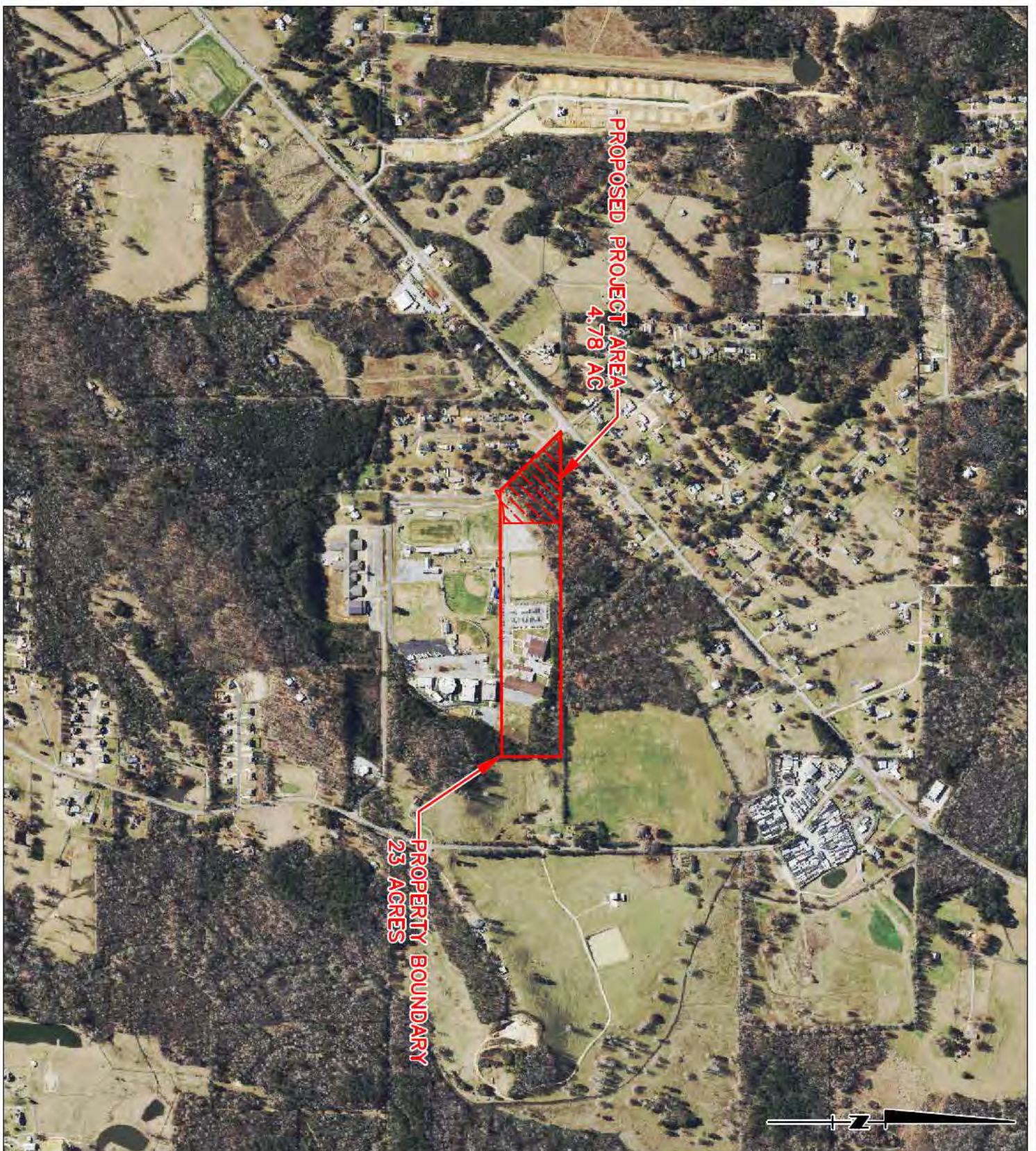


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256.233.1000

TUSCALOOSA
3000 Waterman Road, Ste 200
Tuscaloosa, Alabama 35470
205.933.1000

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22115 - MOODY HIGH SCHOOL PARKING LOT EXHIBIT 2 - PROJECT AREA

DATE: 1/30/2025

SCALE: 1:1000

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HUNTSVILLE

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Huntsville, Alabama 35896
256.455.1281

TUSCALOOSA

6908 Watermelon Road, Ste 200
Tuscaloosa, Alabama 35478
205.305.9185

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22115 - MOODY HIGH SCHOOL PARKING LOT EXHIBIT 3 - DELINEATION

DATE: 1/30/2025
SCALE: 1:300

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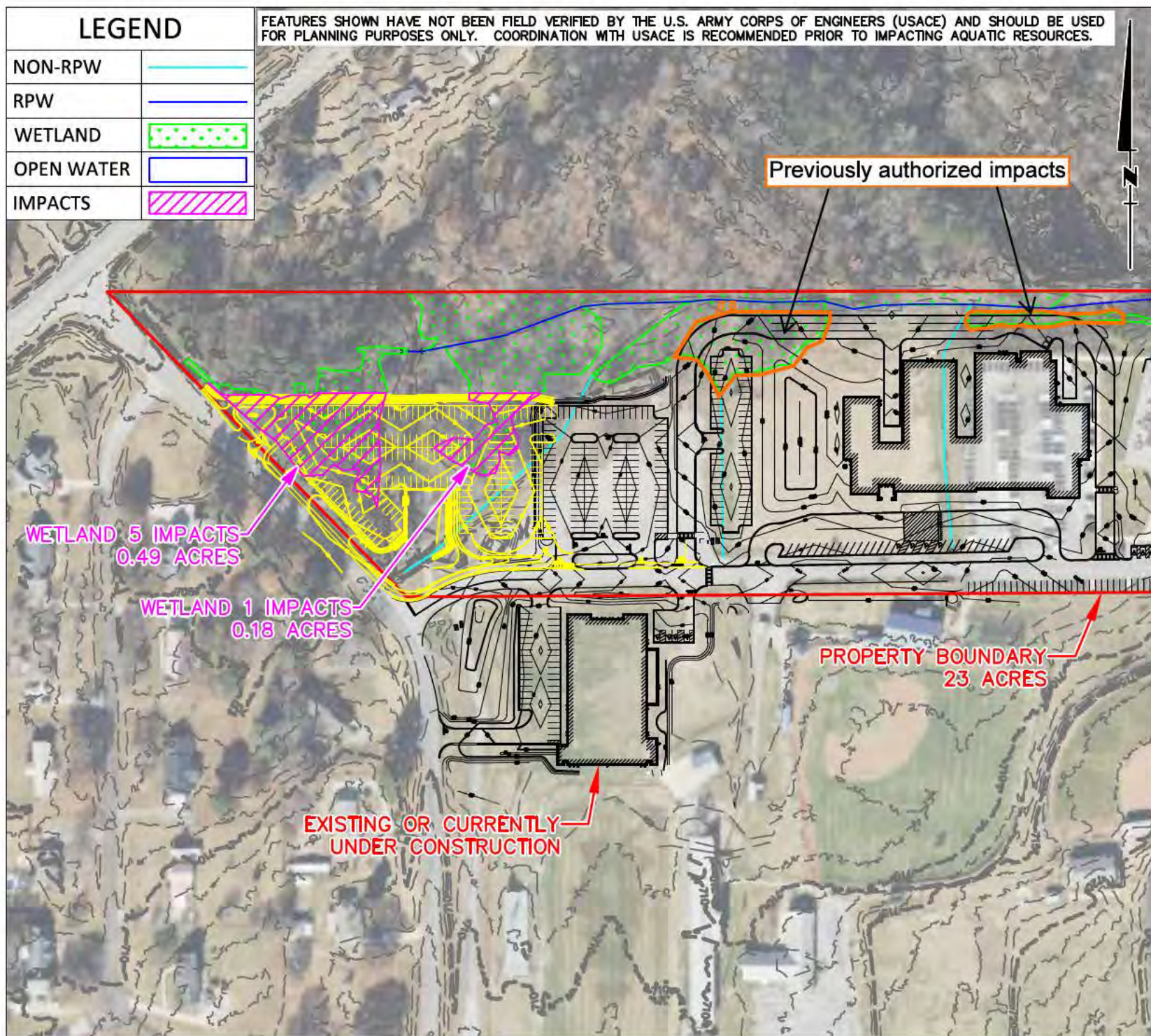


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22115 - MOODY HIGH SCHOOL PARKING LOT

EXHIBIT 15 - PREFERRED PLAN IMPACTS

DATE: 1/30/2025
SCALE: 1:200

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